

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHNATHAN L. TRAVER,

Defendant.

8:21–CR–27

**ORDER GRANTING MOTION TO
WITHDRAW AND DENYING MOTION
TO REDUCE SENTENCE**

This matter is before the Court on the defendant’s *pro se* Motion to Reduce Sentence, [Filing 79](#),¹ and a Motion to Withdraw filed by the defendant’s counsel, [Filing 82](#). The Office of the Federal Public Defender was appointed to represent the defendant pursuant to General Order No. 2023-09. [Filing 80](#). The purpose of this appointment was to determine whether the defendant qualified “for relief pursuant to either the 2023 U.S. Sentencing Guidelines amendments of U.S.S.G. § 1B1.13 or U.S.S.G. § 1B1.10 providing for the retroactive application of Amendment 821[.]” [Filing 80 at 1](#). The defendant’s counsel has moved to withdraw as counsel because “the Defendant’s offense of conviction is a sex offense and therefore no relief is allowed pursuant to U.S.S.G. § 4C1.1(a)(5).” [Filing 82 at 1](#). The United States Probation Office also submitted a worksheet in this case which states that the defendant is not entitled to a reduction. [Filing 83](#).

The Court has conducted its own review of the defendant’s *pro se* Motion along with other relevant matters in the record. The Court concludes that the defendant is not entitled to the requested sentencing relief. The defendant’s *pro se* Motion is without merit and will be denied.

¹ The Court interpreted the defendant’s “Motion” at [Filing 79](#) to be an addendum to his Motion for Compassionate Release at [Filing 78](#) rather than a Motion for a Reduced Sentence pursuant to Amendment 821. See [Filing 79](#) (titled “Addendum”). However, to the extent that the Court’s order denying the Motion for Compassionate Release did not encompass the “Motion” at [Filing 79](#), this Motion is nevertheless denied on the grounds stated herein.

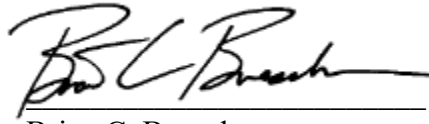
The Court likewise concludes that the Motion to Withdraw should be granted for the reasons set forth in the Motion. Accordingly,

IT IS ORDERED:

1. The Federal Public Defender's Motion to Withdraw, [Filing 82](#), is granted; and
2. The defendant's *pro se* Motion to Reduce Sentence, [Filing 79](#), is denied.

Dated this 21st day of November, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge